

**From:** Chambers, Micah  
**To:** [Bowman, Randal](#); [Magallanes, Downey](#)  
**Subject:** Fwd: Letter: Re. Monuments  
**Date:** Friday, June 09, 2017 11:17:07 AM  
**Attachments:** [Response to May 12, 2017 re. Monuments.pdf](#)

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----- Forwarded message -----

**From:** **Haskins, Audrey** <[audrey\\_haskins@ios.doi.gov](mailto:audrey_haskins@ios.doi.gov)>  
**Date:** Fri, Jun 9, 2017 at 12:13 PM  
**Subject:** Letter: Re. Monuments  
**To:** Micah Chambers <[micah\\_chambers@ios.doi.gov](mailto:micah_chambers@ios.doi.gov)>

Audrey P. Haskins  
Secretarial Assistant  
Office of Congressional & Legislative Affairs  
1849 C Street NW, Room 6256  
Washington, DC 20240

Phone: 202-208-7264

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Micah Chambers  
Acting Director  
Office of Congressional & Legislative Affairs  
Office of the Secretary of the Interior

**To:** Micah Chambers  
Acting Deputy Director of Congressional and Legislative Affairs  
U.S. Department of the Interior

**From:** Rep. Colleen Hanabusa  
422 Cannon House Office Building  
Washington, D.C. 20515  
Staff contact: Elizabeth Songvilay ([Elizabeth.Songvilay@mail.house.gov](mailto:Elizabeth.Songvilay@mail.house.gov))

**Re:** Response to May 12, 2017 Secretary Zinke letter re Monuments

COLLEEN HANABUSA

1ST DISTRICT, HAWAII

422 CANNON HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515  
TELEPHONE: 202-225-2726  
FAX: 202-225-08881132 BISHOP STREET, SUITE 1910  
HONOLULU, HI 96813  
TELEPHONE: 808-541-2570<http://Hanabusa.house.gov>

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-1101**

June 8, 2017

The Honorable Ryan K. Zinke  
Secretary  
Department of the Interior  
1849 C Street NW  
Washington, D.C. 20240

Dear Secretary Zinke:

I am in receipt of your letter dated May 12, 2017 regarding President Trump's Executive Order (EO) 13792 and your Review of Certain National Monuments Established Since 1996: Notice of Opportunity for Public Comment, published in the Federal Register, Vol. 82, No. 90, on May 11, 2017.

I appreciate your request for my position on Papahānaumokuākea, the relevant monument in the State of Hawaii for the purposes of EO 13792, and I am providing a copy of my response to Mr. Micah Chambers per your request.

By way of history, President George W. Bush created the Northwestern Hawaiian Islands Marine National Monument, later named Papahānaumokuākea Marine National Monument, in 2006 via Proclamation 8031. In 2016, President Barrack Obama expanded the boundaries of Papahānaumokuākea via Proclamation 9478.

In addition to advising my Hawaii constituents of your review and process for public comments, I wanted to advise you of my continuing position, as expressed in a letter from the Congress of the United States dated May 25, 2017, a copy of which is attached hereto, that the Constitution of the United States reserves to Congress the authority to "revoke or shrink a national monument." Specifically, the Antiquities Act of 1906 contains no language empowering the President to abolish or reduce the size of a monument, nor has any Act of Congress conferred upon the President an implied power of this nature. As such, while the President has the power to establish national monuments under the Antiquities Act of 1906, only Congress is empowered to revoke or reduce a monument's designation.

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FEDERAL LANDS, RANGING MEMBERS  
INDIAN, INSULAR AND ALASKA  
NATIVE AFFAIRS  
COMMITTEE ON SCIENCE,  
SPACE, AND TECHNOLOGY  
SUBCOMMITTEE:  
ENVIRONMENT  
STEERING AND POLICY  
COMMITTEE

In closing, while I understand you have been ordered to conduct a review of national monuments created under the Antiquities Act of 1906, I do not believe the President has the actual or implied power to revoke or reduce any such monument.

Sincerely,

A handwritten signature in black ink, appearing to read 'Colleen Hanabusa', written over a horizontal line.

Colleen Hanabusa  
Member of Congress

Attachment

cc: Mr. Micah Chambers, Acting Director, Office of Congressional and Legislative Affairs,  
U.S. Department of Interior

**Congress of the United States**  
Washington, DC 20515

May 25, 2017

Hon. Ryan Zinke  
Secretary  
Department of the Interior  
1849 C Street, NW  
Washington, DC 20240

Dear Mr. Secretary:

While stewardship of America's national monuments is your solemn responsibility, the continued existence of those national monuments is ours.

Article IV of the United States Constitution reads in relevant part: "The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States . . ."

Congress has delegated significant federal land management responsibilities to the Executive, including broad authorization to the President through the Antiquities Act to designate national monuments on federal land. Over more than a century, however, Congress has not delegated authority to significantly diminish or abolish an existing national monument. This includes consideration and enactment of amendments to the Antiquities Act, and the decision by the 94<sup>th</sup> Congress to enact the Federal Lands Policy and Management Act (P.L. 94-579), which left the Antiquities Act intact.

The Constitutional authority to revoke or shrink a national monument lies with the Congress.

Wildfire, drought, sprawl, invasive species, unmet maintenance needs, and more threaten the unique natural, cultural, and historical resources you manage on behalf of the American people. Families living on Indian Reservations face among the highest rates of poverty and illness in the world. A changing climate is melting the glaciers for which the National Park near your hometown is named.

Given these significant and growing challenges, developing a report to the President regarding the use of authority he does not possess is a misuse of your time and the public's money.

Sincerely,

*Raúl M. Grijalva*  
 Raúl M. Grijalva  
 Ranking Member  
 House Committee on Natural Resources

*Jim Costa*  
 Jim Costa  
 Member of Congress

*Jared Huffman*  
 Jared Huffman  
 Member of Congress

*Donald S. Beyer Jr.*  
 Donald S. Beyer Jr.  
 Member of Congress

*Colleen Hanabusa*  
 Colleen Hanabusa  
 Member of Congress

*Darren Soto*  
 Darren Soto  
 Member of Congress

*A. Donald McEachin*  
 A. Donald McEachin  
 Member of Congress

*William Lacy Clay Jr.*  
 William Lacy Clay Jr.  
 Member of Congress

*Bennie G. Thompson*  
 Bennie G. Thompson  
 Member of Congress

*Grace F. Napolitano*  
 Grace F. Napolitano  
 Member of Congress

*Niki Tsongas*  
 Niki Tsongas  
 Member of Congress

*Alan Lowenthal*  
 Alan Lowenthal  
 Member of Congress

*Norma J. Torres*  
 Norma J. Torres  
 Member of Congress

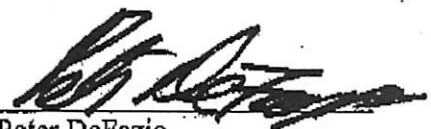
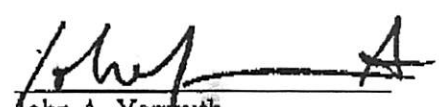
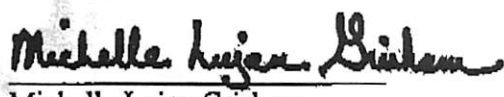
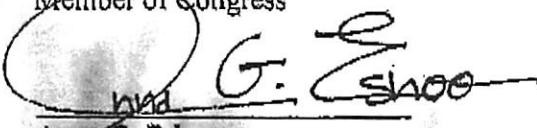

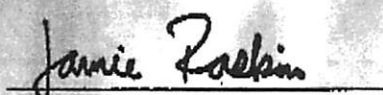
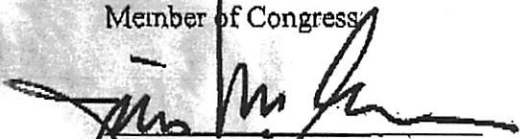
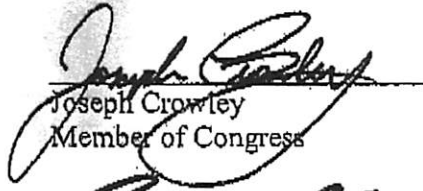

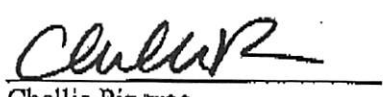
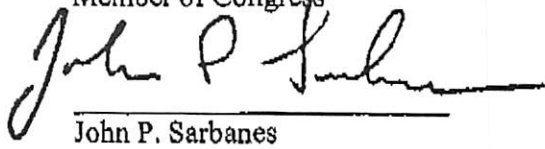
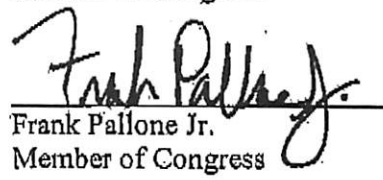

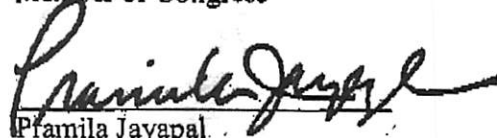

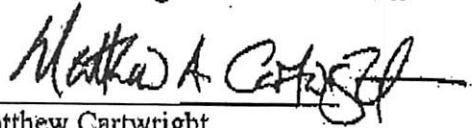
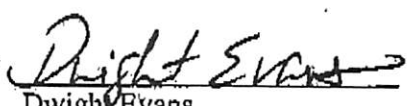
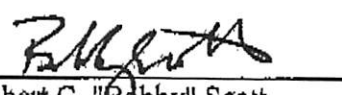
*Nanette Diaz Barragan*  
 Nanette Diaz Barragan  
 Member of Congress

*Jimmy Panetta*  
 Jimmy Panetta  
 Member of Congress

*Anthony Brown*  
 Anthony Brown  
 Member of Congress

*Judy Chu*  
 Judy Chu  
 Member of Congress

*Salud Carbajal*  
 Salud Carbajal  
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Peter DeFazio  
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Joseph P. Kennedy, III  
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Matthew Cartwright  
Member of Congress  
Dwight Evans  
Member of Congress  
Robert C. "Bobby" Scott  
Member of Congress

*Brenda L. Lawrence*

Brenda L. Lawrence  
Member of Congress

*Sander M. Levin*

Sander M. Levin  
Member of Congress

*Katherine M. Clark*

Katherine Clark  
Member of Congress

*Tony Cardenas*

Tony Cardenas  
Member of Congress

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Bonnie Watson Coleman  
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*Lucille Roybal-Allard*

Lucille Roybal-Allard  
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*Mark DeSaulnier*

Mark DeSaulnier  
Member of Congress

*Debbie Dingell*

Debbie Dingell  
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*Marcy Kaptur*

Marcy Kaptur  
Member of Congress

*Bill Foster*

Bill Foster  
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*Beto O'Rourke*

Beto O'Rourke  
Member of Congress

*Mark Pocan*

Mark Pocan  
Member of Congress

*Derek Kilmer*

Derek Kilmer  
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*Jared Polis*

Jared Polis  
Member of Congress

*Jerrold Nadler*

Jerrold Nadler  
Member of Congress

*Eleanor H. Norton*

Eleanor Holmes Norton  
Member of Congress

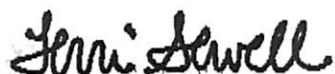
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Elijah Cummings  
Member of Congress

*Bobby L. Rush*

Bobby L. Rush  
Member of Congress

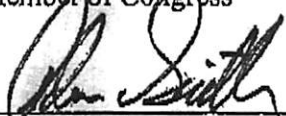




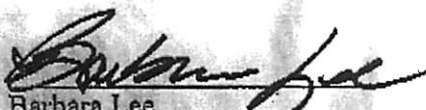
Terri A. Sewell  
Member of Congress



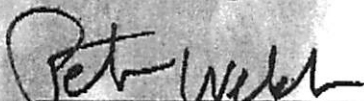
Betty McCollum  
Member of Congress



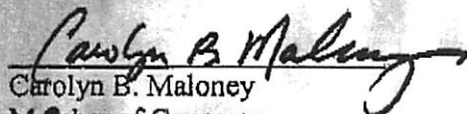
Adam Smith  
Member of Congress



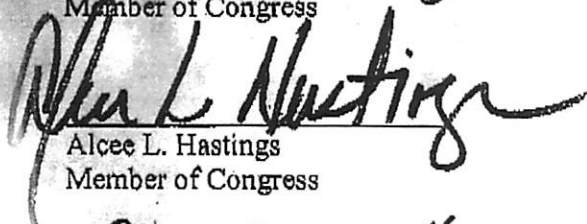
Barbara Lee  
Member of Congress



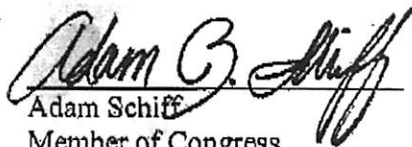
Peter Welch  
Member of Congress



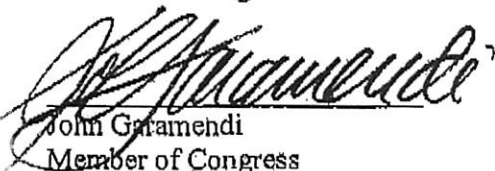
Carolyn B. Maloney  
Member of Congress



Alcee L. Hastings  
Member of Congress



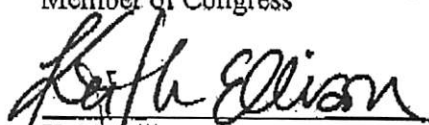
Adam Schiff  
Member of Congress



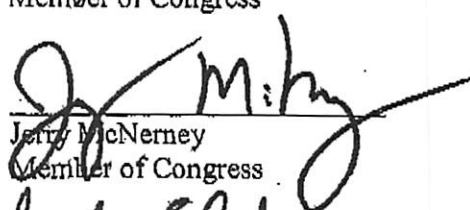
John Garamendi  
Member of Congress



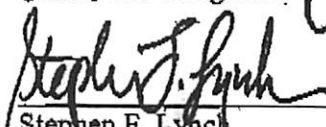
Gerald E. "Gerry" Connolly  
Member of Congress



Keith Ellison  
Member of Congress



Jerry McNerney  
Member of Congress



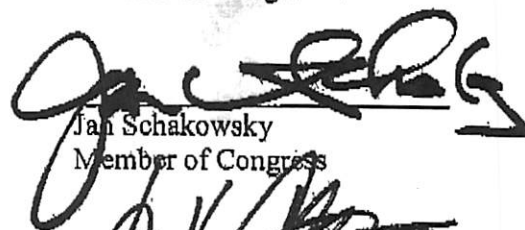
Stephen F. Lynch  
Member of Congress



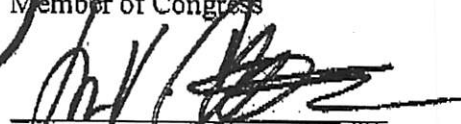
Lloyd Doggett  
Member of Congress



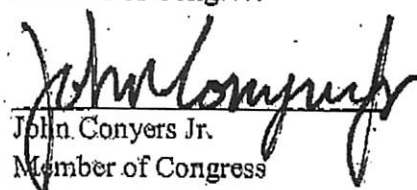
Daniel W. Lipinski  
Member of Congress



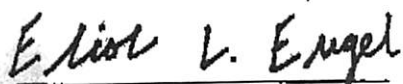
Jan Schakowsky  
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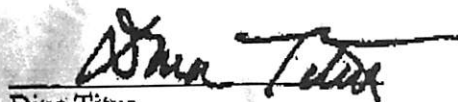
Luis V. Guterrez  
Member of Congress



John Conyers Jr.  
Member of Congress



Eliot Engel  
Member of Congress



Dina Titus  
Member of Congress



Suzan DelBene  
Member of Congress



Mike Quigley  
Member of Congress



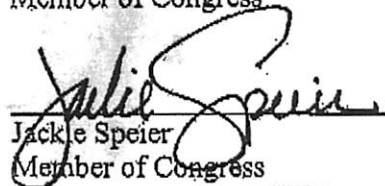
Doris Matsui  
Member of Congress



James R. Langevin  
Member of Congress



Paul D. Tonko  
Member of Congress



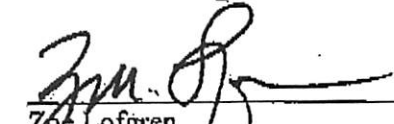
Jackie Speier  
Member of Congress



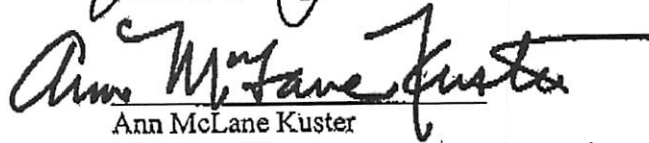
John K. Delaney  
Member of Congress



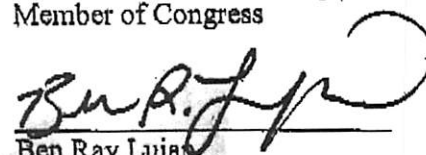
Yvette Clarke  
Member of Congress



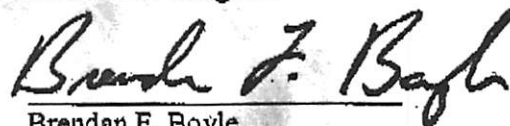
Zoe Lofgren  
Member of Congress



Ann McLane Kuster  
Member of Congress



Ben Ray Lujan  
Member of Congress



Brendan F. Boyle  
Member of Congress